

Judge: Christopher M. Alston
Chapter: 13
Hearing Date: July 11, 2019
Hearing Time: 9:30 am
Hearing Location: Judge Alston's Courtroom
700 Stewart St #7206
Seattle, WA 98101-8101

Response Date: July 04, 2019

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

TERRI ANN HOEFS,

Debtor.

IN CHAPTER 13 PROCEEDING
NO. 19-11173

NOTICE OF TRUSTEE'S MOTION TO DISMISS
CASE AND HEARING

PLEASE TAKE NOTICE that the Chapter 13 Trustee's Motion to Dismiss Case IS SET FOR HEARING as follows:

Judge: Christopher M. Alston
Place: Judge Alston's Courtroom
700 Stewart St #7206
Seattle, WA 98101-8101

Date: July 11, 2019
Time: 9:30 am

IF YOU OPPOSE the motion, you must file your written response with the Court Clerk NOT LATER THAN THE RESPONSE DATE, which is July 04, 2019.

IF NO RESPONSE IS TIMELY FILED, the Court may, in its discretion, GRANT THE MOTION PRIOR TO THE HEARING WITHOUT FURTHER NOTICE, and strike the hearing.

Date: May 30, 2019

/s/Jason Wilson-Aguilar
Jason Wilson-Aguilar, WSBA #33582
Chapter 13 Trustee

NOTICE OF TRUSTEE'S MOTION TO DISMISS CASE
AND HEARING

Chapter 13 Bankruptcy Trustee
600 University St. #1300
Seattle, WA 98101
(206) 624-5124

Judge: Christopher M. Alston
Chapter: 13
Hearing Date: July 11, 2019
Hearing Time: 9:30 am
Hearing Location: Judge Alston's Courtroom
700 Stewart St #7206
Seattle, WA 98101-8101

Response Date: July 04, 2019

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

In Re:

TERRI ANN HOEFS,

Debtor.

IN CHAPTER 13 PROCEEDING
NO. 19-11173

TRUSTEE'S MOTION TO DISMISS CASE

The Trustee moves to dismiss this case pursuant to 11 U.S.C. § 1307(c):

The debtor filed a plan on March 30, 2019 (ECF No. 2).

The debtor's case was filed on March 30, 2019 (ECF No. 1). 1) Reliable Credit Association filed a secured claim (ECF Claim No. 3) related to the debtor's 2006 Buick Rendezvous vehicle. The debtor needs to amend the plan to provide for payment of this vehicle through the plan (i.e. the Trustee shall make the vehicle payments from the debtor's plan payments). Local Bankr. R. 3015-1(j). The debtor will need to increase the plan payment accordingly for feasibility. 2) Based on the debtor's testimony, there is a secured lien related to a down payment assistance loan that encumbers the debtor's real property located at 19476 SE 266th Street, Covington, WA 98042. Based on the debtor's testimony, the loan amount was for approximately \$10,000.00, and the lien is held by Servisolutions. The debtor needs to amend Schedule D to disclose this secured lien, and needs to amend the plan to provide for treatment of this lien. 3) Based on the debtor's testimony, the debtor is delinquent on homeowners' association dues related to the 19476 SE 266th Street property. The debtor needs to amend Schedule D to disclose the HOA entity and the amount owed to this creditor, and needs to file a proof of service verifying that this creditor received notice of the debtor's bankruptcy case filing. 4) The debtor needs to amend the plan to provide for payment of the

ongoing HOA dues and HOA arrears through the plan (i.e. the Trustee shall make the HOA payments from the debtor's plan payments). Local Bankr. R. 3015-1(j). 5) Based on the changes that will need to be made to the debtor's amended plan, the debtor will need to note the amended plan for hearing and file a proof of service showing that creditors received notice of the debtor's amended plan. The Trustee reserves the right to assert additional bases for this motion. If the debtor fails to address the issues raised in the Trustee's Objection and Motion to Dismiss, the case should be dismissed.

THE TRUSTEE REQUESTS that the Court dismiss this case.

Dated: May 30, 2019

/s/ Jason Wilson-Aguilar
Jason Wilson-Aguilar, WSBA #33582
Chapter 13 Trustee

1
2
3
4
5
6
7
8
9
10 **IN THE UNITED STATES BANKRUPTCY COURT**
11 **FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

12 In Re:

13 TERRI ANN HOEFS,

14
15 Debtor.

IN CHAPTER 13 PROCEEDING
NO. 19-11173

Proposed
ORDER DISMISSING CASE

16 THIS MATTER having come before the Court on the Chapter 13 Trustee's Motion to Dismiss Case, and the
17 Court having reviewed and considered the motion, records and files in this case, it is

18 ORDERED that this case is dismissed.

19
20 // End of Order //

21
22 Presented by:

/s/Jason Wilson-Aguilar

23 Jason Wilson-Aguilar, WSBA #33582

24 Chapter 13 Bankruptcy Trustee

25 600 University St. #1300

26 Seattle, WA 98101

(206) 624-5124

27
28
CM160
ams
ORDER DISMISSING CASE

Chapter 13 Bankruptcy Trustee
600 University St. #1300
Seattle, WA 98101
(206) 624-5124